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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/813,904 | 03/31/2004 | Iain H. Kalfas | 101896-366 (DEP5181) | 5037 |
| 21125 7590 05/14/2009 NUTTER MCCLENNEN & FISH LLP WORLD TRADE CENTER WEST 155 SEAPORT BOULEVARD BOSTON, MA 02210-2604 | | | EXAMINER YANG, ANDREW | |
| | | | ART UNIT 3775 | PAPER NUMBER |
| | | | NOTIFICATION DATE 05/14/2009 | DELIVERY MODE ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@nutter.com

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|--------------------------|--------------------------------------|--------------------------------------|--|
| Interview Summary | Application No. 10/813,904 | Applicant(s) KALFAS ET AL. | |
| | Examiner ANDREW YANG | Art Unit 3775 | |

All participants (applicant, applicant's representative, PTO personnel):

(1) ANDREW YANG. (3) RORY PHEIFFER.

(2) THOMAS BARRETT. (4) LISA ADAMS.

Date of Interview: 04 May 2009.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1,56 and 60.

Identification of prior art discussed: Montague et al. and Cavagna et al.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: To overcome the current rejection, amendments to the independent claims were discussed. Incorporating that the connecting plate bears against each arm and also spanning/connecting two bone anchors was the language agreed upon for overcoming the current rejection. Further search and consideration will be required.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

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| /Andrew Yang/ Examiner, Art Unit 3775 | /Thomas C. Barrett/ Supervisory Patent Examiner, Art Unit 3775 |
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